G. R. S. IX-5]

Previous references.

File No. 2 of 1890

Serial Nos. 1-8

191 .

(D & J)

Later references.

20

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-8

Major **Part** B for June 1890

SUBJECT.

Detention of Lunatics either in Jail or in a Civil Hospital

Printed

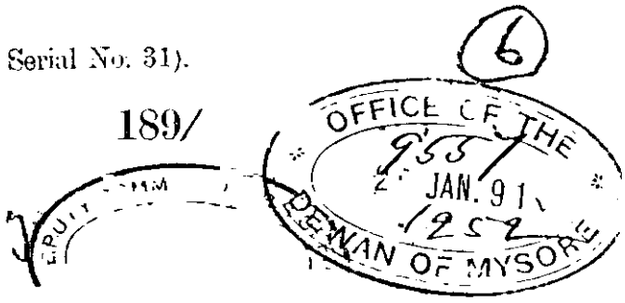
W D 88—GPB—50,000—24-7-16

(General Serial No. 31).

(6)

From

189/



To

The Chief Secretary to the Dewan of Mysore.

Dated 16

Despatched 17 January/91

Received

Enclosures No.

General No. 1242

No.

Has the honour to submit for the orders of Gov: Copy of the marginally noted Correspondence on the subject of provision being made for a Lunatic Ward in the Civil Hospital at Mysore

By Command

Dy Commissioner
Mysore dist

Draft Reply
the Dy Cr is
requested to please

Chief Secy
20/1/91

Read
Dy Cr
17/1/91

Lunatic asylum
Mysore
Dy Cr
16/1/91

Mysore
SR 28/1

(6a)

No: 3004 dy 2 Dec/90
from the Registrar of the
Chief Court in Mysore.

2. No. 5914/3907 dy 20 ult
in reply to the above

Mysore
18/1/91

Kindly in connection with the
Correspondence with the
Commissioner of the 29th ult
Report the result with
such Returns as may be
Necessary - It
is not clear why
Why a Lunatic cannot
be kept under observation
in the Jail Quarters as well
as in the Hospital as the
Senior Medical Officer is in
charge of both & Medical
Aid is given at the Jail for
sick inmates prisoners -

18/1

(6a)

No 3004.

Dy Commissioner's Office
Mysore 22 December 1890.

To
The Registrar of the Chief Court
of Mysore

Sir,

I have the honor to report that para 5 of the late Chief Commissioner's Notification No 141 (1) of the 31st July 1874 lays down that "whenever a person deemed to be a lunatic "is brought before a Magistrate who holds "Court at a place where there is no lunatic "Asylum established, such Magistrate "may direct his detention in the nearest "Jail pending the result of enquiry re- "quired to be made under these rules "and of observations by a Medical Officer" and accordingly the lunatics of this District are now being sent to the Jail.

2. Dr. Benson the Civil Surgeon and Superintendent of Jail strongly protests against lunatics being taken to Jail instead of to Hospital, where they can be more closely observed and cared for by the Medical authorities. The Civil Surgeon moreover has reported in his docket No 458 of the 17 Ultimo, that a suitable place can be arranged for a lunatic ward, in the Civil Hospital.

I

3. I beg therefore that you will be good enough to obtain permission of the Chief Court to Magistrates in Mysore down sending lunatics under Rules of 1874 to the ward in the Civil Hospital instead of to the Jail.

Mysore
(Signed) G.F. Mencklyohn
Dy Commissioner

No 5714/3901 Bangalore 20th December 1890.

From The Registrar of the
Chief Court of Mysore

To The District Magistrate
of Mysore

Sir,

I am directed to acknowledge the receipt of your No 3004 of the 2d Instant and to state that this Court cannot alter the rules regarding the detention of lunatics. The detention of a lunatic in the nearest Jail provided for by Rule 5 is only a temporary arrangement and there are not many cases of this

Kind

to notify an alteration of the rule. But if a suitable place can be arranged for Lunatic ward in the Hospital, as stated in para 3 of your letter, that may be regarded as an Asylum for lunatics in the Mysore District for the purposes of Rule 5. The sanction of Government should be obtained to such an arrangement.

Yours &c
(Signed) S. Ramajee Row
Registrar

Copy

G. J. Mc Clymont
District Magistrate
Mysore

MR

(General Serial No. 30).

1891.

From

To The Deputy Commissioner
Mysore.

Dated 28th January 1891

Despatched 2-2-91

Received

Enclosures No.

General No. 11999.
No. 693

(6)

Docket No: 1242 of 16-1
Submitting for orders Copy
of Correspondence on the
Subject of making a
provision for a Lunatic
Ward in the Civil Hospi
al Mysore.

In reply has the honor to
request the Deputy Com
missioner to place himself
in Communication with
the Senior Surgeon with the
Mysore Government, and
the Inspector-General of
Police and report the
result with such definite
proposals as may seem
thereupon seem practica

It

6

It is not clear at present why a lunatic cannot be kept under observation in the jail quite as well as in the Hospital as the same Medical officer is in charge of both and Medical arrangements exist at the jail for the sick prisoners.

By order

Draft

29/4/91

Chief Secretary

Draft to issue on Chief Secy's orders.

SR.

2/
2.75

(General Serial No. 29.)

7

(2)

OFFICE OF THE
2359
15 JUN. 91
DEWAN OF MYSORE

1891

From The Offg Inspector General of Prisons

To The Secretary to the Dewan [illegible] the Maharaja of Mysore.

Dated 12th June 1891.

Despatched 13 ——

Received

Enclosures No.

General No. 404 } 1891 —8
No.

Submits for the consideration and orders of Government copy of a letter No 158 dated 18th May 1891 from the Supt Mysore Jail representing the inconvenience felt by Lunatics sent from Jail custody to the civil Hospital as heretofore

Overcome. The difficulties of the Jail Hospital arrangements is not very little attended to. The Jail is a Doctor. Hospital assistant in charge of medical charge of the Jail. There are Suitable wards. It seems desirable that a more appropriate arrangement.

Attd

Attd

13/6/91

The absence of suitable wards & necessary guards at the Civil Hospital will have a serious obstacle in the way of giving effect to this suggestion hence made the Offg Prisons will therefore consult the Superintendent & take how he can best arrange this the

31/20-6-91 GR/17-6-91.

No 404. Bangalore 12th June 1891. (1)

From

T. R. A. Thumboochetty Esquire,
Offg. Inspector General of
Prisons in Mysore

To,

K. Seshadri Iyer Esq. B.A.B.L.
Dewan of Mysore.

Sir,

I have the honor to submit, for the consideration and orders of Government, copy of a letter No 158 (2a) dated 18 May 1891, from the Superintendent of the Mysore Jail, representing the inconvenience felt by Lunatics of all classes being sent to the Jail, instead of to the Civil Hospital as heretofore.

2 Rule 5 of the Rules published under the Chief Commissioner's Notification No. 141 dated 31st July 1874, provides that "whenever a person deemed to be a Lunatic is brought before a Magistrate

Magistrate who holds his Court at a place where no Lunatic Asylum is established, such Magistrate may direct his detention in the nearest Jail, pending the result of the enquiry required to be made under these Rules and of observations by a Medical Officer, and he shall, before sending such person to a Lunatic Asylum take some Medical evidence to shew that such person is a Lunatic and a fit person to be kept in a Lunatic Asylum under care and treatment

3 As the Rule does not authorize a Magistrate to send a supposed Lunatic to a Civil Hospital, but requires his detention in the nearest Jail, the former practice of sending the Lunatics to the Civil Hospital was considered objectionable and discontinued. Doctor Benson now represents that it is very inconvenient to keep the Lunatics

in the Jail

4 The Superintendent is not always in the Jail, and as the Lunatics require constant observation by the Medical Officer in charge to enable him to furnish his report, it seems desirable that they should be sent to the Civil Hospital, where a Medical Officer is on daily and constant attendance, and who would be better able to form a correct opinion as to the mental state of the Lunatics and to furnish the required report.

5 I beg therefore to suggest that Rule 5 quoted above be amended by the addition of the words "or the Civil Hospital" after Jail in line 3, so as to admit of the Lunatics being sent to the Civil Hospital whenever it is found inconvenient to accommodate them in the Jail.

6 The enclosed statement shows the particulars of the Lunatics sent to the

Mysore

Mysore Jail during the past 12 months,
and, as there is accommodation in the
Civil Hospital for 3 Lunatics, the necessary
arrangements may be made as suggested
by Doctor Benson, for sending the Lunatics
to the Civil Hospital as heretofore, should
the Government be pleased to sanction
the amendment of the Rule proposed by
me.

I have the honor to be

Sir

Your most Obedient Servant

[signature]

Offg Inspector General of
Prisons in Mysore

No 158. 12

Office of the Superintendent (20)
Mysore Jail.
Dated 18th May 1891

From,

The Superintendent.
Mysore Jail.

To,

The Offg. Inspector General
of Prisons in Mysore
Bangalore

Sir,

I have the honor to state that all
classes of lunatics are now sent to the Jail
to be kept under observation, and that it is
very inconvenient to keep them here. Formerly
these lunatics were sent to the Civil
hospital, and I therefore beg to request
you to be good enough to make the necessary
arrangements, so that they may be sent
to the Civil hospital as heretofore, for their
being kept under observation

I have &c.

Sd/ P. A. Benson M. B.
Superintendent.
Mysore Jail

Copy.

S. Krishnayya Iyer
Registrar.

Statement shewing the particulars of the lunatics sent to the Mysore Jail during the past 12 months, as called for by the Inspector General of Prisons (No 364 dated 2nd May 1891)

13

	When sent to Jail	When discharged from the Jail	Remarks
1	18th June 1890	23rd July 1890	It will thus be seen that the average time during which each Convict passed in Jail before his release will come to 20 days.
1	4th September 1890	24th September 1890	
1	26th September 1890	17th October 1890	
1	4th October 1890	6th October 1890	
1	29th October 1890	22nd November 1890	
1	12th December 1890	6th January 1891	
1	13th December 1890	6th January 1891	
1	23rd January 1891	25th January 1891	
1	29th January 1891	21st February 1891	
1	25th February 1891	15th March 1891	
1	27th February 1891	18th March 1891	
1	3rd March 1891	23rd March 1891	
1	30th March 1891	2nd May 1891	
1	4th May 1891	Still under observation	
(Total fourteen lunatics)			

Office of the Superintendent
Mysore Jail
Dated 26th May 1891

Sd/ Percy H. Benson Asst
Superintendent
Mysore Jail

Copy
S. Hanumaiya Iyengar
Registrar

14 (3)

Read,

Letter No 1404 (2) dated 12 instant, from the Offg Inspector General of Prisons in Mysore, submitting, for orders, copy of letter No 158 (2a) dated 18th ultimo from the Supdt of the Mysore Jail, representing the inconvenience felt by Lunatics of all classes being sent to the Jail, instead of to the Civil Hospital as heretofore

No. 3383/355 of 22-6-91

Order -

The absence of suitable wards and necessary guards at the Civil Hospital, will prove a serious obstacle in the way of giving effect to the suggestion made in the letter read above. The Inspector Genl of Prisons will therefore be good enough to consult the Senior Surgeon and state

15

2/275

9

1891

To. The Inspector General of Prisons in Mysore

D/ 22 June/91.

No. 3383

3555

state how he would propose this to be overcome.

2 The reported inconvenience of the existing arrangement is not quite intelligible. The Superintendent of the Jail is a Doctor. There is a Hospital Assistant in exclusive medical charge at the jail hospital where there are suitable wards and wards. It seems difficult to ~~imagine~~ make a more appropriate arrangement.

Passing also in the matter of the representation of the Supt of the Mysore Jail re inconvenience felt from lunatics of all classes being sent to the Jail instead of to the Civil Hospital as heretofore

Ref. Lr. No. 4900 dt 28-7-91

Sd/ W. Lee Warner
Chief Secy.

To.
The Inspector General of
Prisons in Mysore.

sdbk
22/6/91

2/4.75

(General Serial No. 29.)

16- FF 3826 24 JUL. 91 872 (4)

188 1.

From The Inspector General of Prisons

To The ~~Secretary to the~~ Dewan of Mysore.

Dated 18th July 1891

Despatched 23rd

Received

Enclosures No. one

General No. 4490 } 188 —8
No.

Dr. Letter No. 4048 dt June 91

Drafted. 4/8/91

Forwards copy of letter from the Offg Senior Surgeon submitting opinion on the subject of Lunatics being sent to the Jail instead of the Civil Hospital, and recommends that certain amendment be made in the Rules published with the late Chief Commissioner's Notifn No. 141 dt 31st July 1874.

Refer Gs 28/7/91

Lt Col Edmonds 28.7.91

Dr Draft not approved in para 5 of the 28/7/91

BZ 27-7-91

No. 490 Prisons

(4)

Bangalore 18th July 1891.

From.

T. R. A. Thumboo Chetty Esquire
Inspector General of Prisons

To.

K. Sheshadri Iyer Esquire C.S.I.
Dewan of Mysore.

Sir,

With reference to the proceedings of Government No. 3383/356 (3) of the 22nd Ultimo, I have the honor to forward copy of letter No 75 (4a) of the 9th instant, from the Offg Senior Surgeon, and to recommend that, as already suggested in my letter No 4064 (2) dated 12th June 1891, Rule 6 of the Rules published with the late Chief Commissioner's Notification No 141 (1) dated 31st July 1874, be amended by the addition of the words "or the Civil Hospital" after Jail in line 3, so as to admit of Lunatics being detained as a temporary measure in the Mysore Civil Hospital as heretofore. Such detention would be illegal, if the Rule be not amended as proposed by me.

I have the honor to be,
Sir
Your most obt Servant;

T R A Thumboo Chetty
Inspector General of Prisons.

18 (44)

Office of the Senior Surgeon and
Camp No. 75. Sanitary Comm.r Mysore Government
Dated Camp Mysore 9th July 1891.

To.

The Registrar of the Chief Court
of Mysore.
Bangalore

Sir,

I have the honor to acknowledge the receipt of your letter No. 460 of 1st July, together with copy of the Offg Inspector General of Jails letter to Government No. 404 (2) of the 12th June 1890, and the Proceedings of Government thereon, in the absence of Dr McCann on duty to England, I have the honor, in accordance with your letter, to favor you with my opinion on the points noticed by Government in their Proceedings.

2. The 1st point mooted by Government re the absence of Suitable Wards and necessary guards at the Civil Hospital. With reference to this point, I may mention that ever since I have known the Mysore Civil Hospital (April 1880) it has been the invariable custom to send all Lunatics there for observation, in charge of one or more Constables, and this practice was only abolished during the time of Dr.r McCandlish's office as Deputy Commissioner; when a lunatic was sent to the Jail by the Town Magistrate Mr. Krishnaiengar, who interpreted the Notification to the effect that all lunatics must be sent to the Jail in places where no Lunatic Asylum exists, whereas the Notification only says

Magistrate may direct his detention in the nearest jail". I spoke to Mr Krishnaiyar at the time, and told him that it was the invariable custom here for all lunatics to be sent to the Civil Hospital, as the accommodation was better and the opportunities for observation and treatment were far better than in the Jail.

3. With regard to the 2nd point mooted by Government in their Proceedings, it is perfectly true that the Superintendent of the Jail is a Doctor, and that there is an Hospital Assistant in Medical charge, but the Superintendent only visits the Jail daily, and the Hospital Assistant cannot be expected to be always on the spot, whereas at the Civil Hospital in addition to the daily and frequently bi-daily visits of the Civil Surgeon, there is a Resident Assistant Surgeon and an Hospital Assistant always on duty.

4. I may mention moreover that many Lunatics are very noisy and cause great disturbance at night, which is very objectionable within the walls of a Jail. They are frequently violent, requiring restraint, and should this occur at nights it imposes extra duties on the Jail Guard, who are already overworked, and moreover none of them have had any experience with the management of Lunatics as is the case with the attendants at the Civil Hospital. Another objection to their being in the Jail is that their relations frequently wish to visit them, and in some cases to bring

them food, and to allow outsiders within the Jail would, in my opinion, be detrimental to Jail discipline.

5. In consideration of these facts, I trust that Government may be pleased to sanction the detention of Lunatics in the Civil Hospital as heretofore, the accommodation there is all that is required with the exception of a few minor alterations to the rooms which would not cost more than Rs 20 or 30/.

I have &c.

Signed P. A Benson M.B

Offg Senior Surgeon and

Sanitary Commr.

Mysore Government.

Copy

Secretary

Registrar

46

(5)

No. 196 Dy 4/5 August 1891

Notification.

In Rule 5 of the Rules published under the late Chief Commissioner's Notification No. (1) 141 dated 31st July 1874, for the reception and detention of Lunatics in Asylums in the Mysore State, after the words "nearest jail" in line 3, add "or the Civil Hospital"

B.O

Chief Secy

To.

The Compiler, Mysore Gazette for publication.

Copy to Insp. Genl of Prisons, in Mysore, with reference to his letter No. 490 Dy 18th ult.

No. 5-351/5-51 Dy 4/5 August 91

B.O

Chief Secy

Mbm. 4/8

½.75

1891

To,

The Compiler, Jn. G.

" Inspector General

of Prisons.

Dated 4th August 1891

Notified

No 196. 5357/557.

Adding, in rule 5 of the Rules for the reception & detention of Lunatics in Asylums in the Mysore States, after the words "nearest Jail" in line 3 "of the Civil Hospital

1/194

23

(General Serial No. 30).

OFFICE OF THE DEWAN OF MYSORE
6031
24 SEP. 91
407

189/

From

COMMISSION OFFICE
MYSORE
CT

To The Chief Secretary to the Dewan of Mysore

Dated 19
Despatched 22 September
Received

Enclosures No. 1

General No. 532
No.

Has docketed No 11999 of the 693 28th January last, requesting to report the result of Co:respondence with the Inspector General of Police and the Senior Surgeon Mysore on the Subject of making provision for a lunatic ward in the Civil hospital Mysore.

Has the honor to Submit copies of the marginally noted papers on the subject for information.

2. The opinion of the undersigned is that the existing arrangement of sending lunatics to jail may continue as the civil Surgeon is the jail

Refer to
Gs
24/8/91

Submitted
Gs
25-9-91

Gs
9/9/91

Reference the order herein, the Senior Surgeons opinion herein (to be stated) Gs 8/5—

Manager 9/5 E. Records Put up No 196 D 4-8-91 Put up

(8a) Putup 8/5

1 Letter No 1186 dt 1.6.91 from Senior Surgeon
1 Letter No 900 dt 4-7-91 from the Inspr Genl of Police

The Senior Surgeons proposal has been already Sanctioned by Govt. by Order No 196 D 4-8-91

Draft ord

31-5-92 28/5/92 28-5-92 28-9-91

Superintendent and he will be able to attend
on such lunatics, and further there are
better arrangements for guarding in the jail.
on the other hand if he is confined in a
ward in the Civil hospital, Separate Guard
will be necessary which means an additional
cost to Government

D Cameron
Offg Deputy Commissioner
Mysore District.

(8a)

No 1186

Office of the Senior Surgeon and
Sanitary Commissioner
with the Government of Mysore
Bangalore
Dated 1st June 1891

25

To,

The Deputy Commissioner
Mysore District

Sir,

I have the honor to acknowledge receipt of your No. 34, of the 14th ultimo, with accompanying Correspondence and to state in reply that I concur with Dr. Benson, in the opinion that a lunatic can as a rule be more closely observed & cared for in an hospital than in a jail, and as a consequence the time required to form an opinion regarding him will be shorter, and I therefore approve of the proposal that Magistrates be empowered to send lunatics to hospitals instead of to jails for observation and report.

2. There are several detached wards in the General Hospital Mysore, and one can always be made available for the accomodation of such persons, and if they are to be sent to hospitals, Police guards will have to be provided for them during their detention.

I have &c

(Signed) J McCann
Senior Surgeon
Mysore Government

No 900/98

Office of the Insp.r Genl of Police in Mysore
Dated Bangalore 4th July 1891

From

The Insp.r Genl of Police
in Mysore

To

The Deputy Commissioner
Mysore

Sir,

With reference to your letter No. 34, of the 14th May last, I have the honor to state that the rules regarding lunatics were sanctioned by the Government of India in 1874, and I am not aware of any inconvenience having till now been occasioned by lunatics being kept in the jails. If lunatics brought before courts under trial prisoners may be confined in the jail, as they ought to be for observation, wandering lunatics may likewise be kept there under Section 6 of the Rules of 1874. As regards the measures and establishment required for guarding such lunatics, a jail is a more suitable place than a hospital. A hospital may be more accessible and may perhaps afford better facilities for treatment than a jail, but as observed by the Chief Secretary, a medical officer being in special charge of the jail, the weight of this objection is greatly reduced. Moreover the question is a general one not only concerning the Mysore taluk, but also remote Talooks where there may be no accommodation in the hospital and where the only place of Security may be the Taluk Lock Up, which is the jail. Conformable to Section 5 of the Rules.

Dw

on the whole I am not satisfied that there is any necessity for the suggested alteration and I think besides that lunatics are out of place in a hospital unless a remote ward could be provided for them.

I have &c.

(Signed) L. Ricketts
Inspector General of Police

1 "Copies"

D Hamilton
Offg Deputy Commissioner
Mysore District.

1/
L.94

(General Serial No. 30.)

(9)

1892.

From

28

PHY
2-90
88

To The Deputy Commissioner
Mysore District.
" Senior Surgeon.

Dated 7th
Despatched 9th } June 1892.
Received

Enclosures No 1

General No. 4345 & 4346.
No 117 37

Drawing his attention to
Govt Notifn no 196 dated
4th August 1891, under
which lunatics may be
sent either to the Jail or
Civil Hospital.

(S)

Fwd to Dy Commr Mysore

No. 4345 Dt. 7th June 1892
117 9

To

The Deputy Commr
Mysore Dt.

Sir,

With reference to the correspondence ending with your docket No 532 of the 19th September last, I am directed to inform you that Government have been pleased to empower Magistrates to send lunatics to the Hospitals for observation, I am directed to draw your attention to Govt Notifn No 196 dated 4th August 1891 under which the terms on which lunatics may be sent either to the Jail or Civil Hospitals

I have &c

No. 4346
37

Copy to the Senior Surgeon with reference to this letter No 1186 Dt 1-6-91

(General Serial No. 30.)

189

From

To

Dated

Despatched

Received

Enclosures No.

General No.

No.